

Serial No. 10/601,450
60,427-611
2003P09046US

REMARKS

Applicant wishes to thank the Examiner for the detailed remarks and allowability of claims 2-5 and 7. Claims 1, 6 and 9-11 have been amended and claim 8 has been canceled. New claims 12-16 are presented. New claims 12-15 are allowable claims 2, 3, 5 and 7 in independent form. Accordingly, claims 1-7, 9-11 and 16 are pending.

Claims 8-11 were rejected under 35 U.S.C. §112. Applicant respectfully submits that the claim as amended is in proper condition according to §112.

Claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by "*Elstrom*." Applicant suspects that the Examiner is referring to *Ekstrom* 6,684,841. Applicant respectfully traverses this rejection. *Ekstrom* discloses a flexible member 1 with a chamber 2. The flexible member 1 is a membrane or diaphragm. [Col 3, lines 27-37.] Claim 1 has been amended to recite that said deformable member is inflatable and deflatable to adjust a volume of the deformable member. The flexible member 1 *Ekstrom* is not inflatable/deflatable. Amended claim 1 is properly allowable.

Claim 6 was ejected under 35 U.S.C. §102(b) as being anticipated by *Bredy*. The Examiner admits that *Bredy* discloses a rigid member. In fact *Bredy* discloses a piston which does not disclose or suggest a said deformable member is inflatable and deflatable to adjust a volume of the deformable member. That is, at best, the piston of *Bredy* just moves in response to changes in pressure. Amended claim 6 is properly allowable.


New claim 16 recites further features of the present invention which are neither disclosed nor suggested by the cited references and are thus properly allowable.

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Please charge \$600 to Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, for three additional independent claims. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,
CARLSON, GASKEY & OLDS, P.C.



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